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09/474,326	12/29/1999	THOMAS J. FOTH	E-977	2120

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EXAMINER
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OBEID, MAMON A

ART UNIT	PAPER NUMBER
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3621

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Acknowledgements***

1. This action is in response to the Appeals Center Return dated June 4, 2007.
2. The Information Disclosure Statements (IDS) filed December 29, 1999 and June 5, 2003 have been considered by the Examiner. The IDSs are attached.
3. In order to correct minor informalities, the Examiner's Answer of 4/19/07 is amended as follows: Section 9 is replaced with the new section below, which now includes the detailed rejection from the Final Rejection:

***(9) Grounds of Rejection***

4. The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 102***

5. Claims 1-8 are rejected under 35 U.S.C. §102(e) as being anticipated by Krishman et. al. (U.S. Patent No. 6,073,124)(Krishman)
6. As per claims 1 and 8, Krishman teaches a method for using a computer to facilitate a transaction between a merchant and a buyer comprising downloading into the computer a digital content file of the merchant, the digital content file including a header with information related to purchasing a digital content product and the digital content product in encoded form, and using the computer for reading the downloaded header displaying at least some of the information related to purchasing the digital content product while concurrently downloading the encoded digital content product into the computer (see fig 2, summary of the invention and column 6 lines 44-7 lines 43, 8 lines 26-10 line 55).

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7. As per claim 2, Krishman et al teach a method comprising inputting a request to purchase the digital content product into the computer, outputting from the computer the request to purchase to a broker computer, receiving at the computer from the broker computer a key for decoding the encoded digital content product in response to the request to purchase, and using the key at the computer to decode the encoded digital content product while concurrently displaying the decoded digital content product (see fig 2, summary of the invention and column 6 lines 44-7 lines 43, 8 lines 26-10 line 55).

8. As per claims 3, Krishman et al teach a method comprising concurrently downloading the encoded digital content product into the computer while decoding the encoded digital content product and displaying the decoded digital content product (see fig 2, summary of the invention and column 6 lines 44-7 lines 43, 8 lines 26-10 line 55).

9. As per claims 4, Krishman et al teach a method for using a computer by a broker to encrypt digital content product files of a merchant that are hosted at a merchant web site comprising of inputting into the computer the digital content product files designated for encryption together with the web site location of the digital content product files and information required to access the digital content product files via the computer, connecting to the web site and accessing and encrypting the digital content product files designated for encryption and storing the encrypted digital content product files at the web site (see fig 2, summary of the invention and column 6 lines 44-7 lines 43, 8 lines 26-10 line 55).

10. As per claims 5, Krishman et al teach a method further comprising inputting into the computer a location at the web site where each of the encrypted digital content product files are to be stored, and storing the encrypted digital content product files at the

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location (see fig 2, summary of the invention and column 6 lines 44-7 lines 43, 8 lines 26-10 line 55).

11. As per claims 6, Krishman et al teach a method comprising using the computer to create a buyer product file for each encrypted digital content product file, the buyer product file including the encrypted digital content product file and a header having information about the digital content product file for use by a buyer in making a decision on whether to purchase the digital content product (see fig 2, summary of the invention and column 6 lines 44-7 lines 43, 8 lines 26-10 line 55).

12. As per claims 7, Krishman et al teach a method for distributing from a first computer digital content products for purchase, the method comprising encrypting a first digital content product file; statically storing the encrypted first digital content product file at the computer, storing a second digital content product file in unencrypted form at the computer; and inputting a request into the first computer for downloading from the first computer to a second computer at least one of the encrypted first digital content product file and the second digital content product file, wherein at times when the request is for the encrypted first digital content product file downloading the first encrypted digital content file to a second computer, and at times when the request is for the second digital content product file dynamically encrypting the second digital content product file while maintaining the storing of the second digital content product file in unencrypted form (see fig 2, summary of the invention and column 6 lines 44-7 lines 43, 8 lines 26-10 line 55).

13. The application is being forwarded to the Board of Patent Appeals and Interferences for decision.

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14. Any inquiry concerning this communication should be directed to ANDREW J. FISCHER at telephone number (571)272-6779.

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